

DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

CHRIS CARTY,)	
)	
Petitioner,)	
)	
v.)	Civil No. 2015-61
)	
GILBERT DAVID, in his capacity)	
as Prison Warden,)	
)	
Respondent.)	
)	

APPEARANCES :

Chris Carty

Pound, VA

Pro se petitioner,

Claude E. Walker, AG

Pamela R Tepper, AAG

Su-Layne U. Walker, AAG

V.I. Department of Justice

St. Thomas, U.S.V.I.

For the Gilbert David,

AMENDED ORDER¹

GÓMEZ, J.

Before the Court is the Report and Recommendation of the Magistrate Judge recommending that the Court deny Gilbert David's motion to dismiss for lack of jurisdiction.

Upon de novo review of the record, the Court agrees with

¹ The order entered on September 29, 2016, inadvertently omitted the *pro se* appearance of Chris Carty in the "Appearances" section of the order. That oversight is addressed in this amended order.

the Magistrate's Report and Recommendations.

The premises considered, it is hereby

ORDERED that the Report and Recommendation of the
Magistrate Judge is **ADOPTED**; it is further

ORDERED that Gilbert David's motion to dismiss docketed at
ECF Number 36 is **DENIED**; and it is further

ORDERED that Gilbert David provide an appropriate response
to Chris Carty's petition no later than 3:00 P.M. on October 31,
2016.

s\ _____
CURTIS V. GÓMEZ
District Judge